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AN ORDINANCE AMENDING CHAPTER 51 OF THE CITY OF FORT WAYNE CODE OF LAWS.

WHEREAS, in March of 1993 the United States Environmental Protection Agency Region 5 (USEPA Region 5) conducted an audit of the Fort Wayne Water Pollution Control Plant; and

WHEREAS, USEPA Region 5 issued its Findings and Conclusions following its audit, along with an Order requiring the City to amend certain provisions of Chapter 51 of the Code of Ordinances; and

WHEREAS, certain other amendments to Chapter 51 are also appropriate at this time.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 51 of the City of Fort Wayne Code of Laws be amended as follows:

CHAPTER 51

SEWERS AND SEWERAGE SYSTEM

General Provisions

Sec. 51.001. Definitions.

Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter and as used in the Rules and Regulations adopted by the Board of Public Works implementing the provisions of this Chapter for the Fort Wayne sewerage system are as set out below respectively:

- a) **"ACT:"** the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at I.C. 13-1-4-1.
- b) **"APPLICABLE PRETREATMENT STANDARDS"** - any pretreatment limit or prohibitive standard (Federal, State and/or Local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.
- c) **"BIOCHEMICAL OXYGEN DEMAND (BOD)"** - the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters or industrial wastes under standard laboratory procedures for five days at 20° centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 24-1. (rr) below).
- d) **"BUILDING (OR HOUSE) DRAIN:"** that part of the lowest piping of a drainage system which receives the discharge

1 from soil, waste and other drainage pipes inside the
2 walls of the building and conveys it to the building
3 sewer.

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- 5 1. **"COMBINED:"** a building drain which conveys both
6 sewage and storm water or other drainage.
- 7 2. **"SANITARY:"** a building drain which conveys sewage
8 only.
- 9 3. **"STORM:"** a building drain which conveys storm
10 water or other drainage, but not sewage.

11 e) **"BUILDING (OR HOUSE) DRAIN CONNECTION:"** the point where
12 the Building (or House) sewer is connected to the
13 building drain at a location approximately three (3) feet
14 outside the foundation wall of the building.

15 f) **"BUILDING (OR HOUSE) SEWER"** - that part of the drainage
16 system which extends from the end of the building drain
17 and conveys its discharge to a public sewer, private
18 sewer, individual sewage disposal system or other point
19 of disposal.

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- 21 1. **"COMBINED:"** a building sewer which conveys both
22 sewage and storm water or other drainage.
- 23 2. **"SANITARY:"** a building sewer which conveys sewage
24 only.
- 25 3. **"STORM:"** a building sewer which conveys storm
26 water or other drainage, but not sewage.

27 g) **"BUILDING (OR HOUSE) SEWER CONNECTION"** - the point where
28 the building sewer is connected to the public sewer.
29 This connection to the public sewer may be accomplished
30 as follows:

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- 32 1. Where a tap-in connection is employed, the point of
33 connection shall be where the end of the building
34 sewer meets the inside face of the sewage system
35 and the tapping "saddle and/or joint" shall be
36 considered part of the building sewer.
- 37 2. Where fittings (T's or Y's) are employed the
38 connection shall be where the end of the first pipe
39 meets the end of the fitting and the said T or Y
40 fitting shall be considered a part of the building
41 sewer.

42 h) **"CATEGORICAL INDUSTRY"** - an industry whose effluent is
43 regulated by 40 CFR 403.6.

44 i) **"CATEGORICAL PRETREATMENT STANDARD OR NATIONAL STANDARD"** -
45 any regulation containing pollutant discharge limits
46 promulgated by the U.S. EPA in accordance with Section
47 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to
48 a specific category of industrial users which appear in
49 40 CFR Chapter I, Subchapter N Part 405-471.

50 j) **"CHEMICAL OXYGEN DEMAND (COD)"** - a measure of oxygen
51 equivalent to that portion of the organic matter in a
52 sample of sewage, sewage effluent, polluted waters or
53 industrial wastes that is susceptible to oxidation by a
54 strong chemical oxidant. The laboratory determinations
55 shall be made in accordance with procedures set forth in
56 "Standard Methods." (see paragraph 24-1. (rr) below).

57 k) **"CITY"** - the City of Fort Wayne, Indiana.

1) "CLASSIFICATION OF USERS"

2. "RESIDENTIAL USERS" shall include any user of the
3. City's treatment works whose lot, parcel or real
4. estate or building is used for domestic dwelling
5. purposes only.

6. "COMMERCIAL USER" shall include all retail stores,
7. restaurants, office buildings, laundries and other
8. private business and service establishments,
9. including those identified in the Standard
10. Industrial Classification Manual, 1972, Office of
11. management and Budget Division I - Services.

12. "INDUSTRIAL USER" shall include any user of the
13. City's treatment works which is identified in the
14. Standard Industrial Classification manual, 1972,
15. Office of Management and Budget, as amended and
16. supplemented, under the following divisions;
17. Division A-Agriculture, Forestry and Fishing;
18. Division B-Mining; Division D-Manufacturing;
19. Division E-Transportation, Communications,
20. Electric, Gas and Sanitary.

21. "Industrial Users" shall be classified as follows:

22. a. "NON-DISCHARGE USERS" shall include all
23. industries which discharge sanitary sewage
24. only, and industrial users whose discharge is
25. limited to non-contact cooling water, or
26. boiler blowdown water.

27. b. "NON-MAJOR INDUSTRIAL USER" shall include all
28. industries which discharge process water but
29. do not meet the criteria of "Significant
30. Industrial Users."

31. c. "SIGNIFICANT INDUSTRIAL USERS"- (SIU) shall
32. include all industries comprised of
33. categorical and non-categorical industries and
34. shall further be defined as set out at 40 CFR
35. 403.3(t).

36. 4. "INSTITUTIONAL USER" shall include social,
37. charitable, religious and educational activities
38. such as schools, churches, hospitals, nursing
39. homes, penal institutions and similar institutional
40. users.

41. 5. "GOVERNMENTAL USER" shall include legislative,
42. judicial, administrative and regulatory activities
43. of Federal, State and Local governments.

44. m) "COMPLIANCE SAMPLE" - a sample taken of a User's effluent
45. within thirty (30) days after a violation of this
46. Chapter, the User's permit or the Federal Pretreatment
47. Standards and Regulations has been discovered or
48. reported. The User shall be billed for any Compliance
49. Sample taken.

50. n) "COMPOSITE SAMPLE" - the sample resulting from the
51. combination of individual wastewater samples taken at
52. selected intervals based on an increment of either flow
53. or time. Time intervals between discrete samples not to
54. exceed 2 hours.

55. o) "DWELLING:" a building, or portion thereof, under one
56. roof used primarily as the abode of one or more persons,

1 but not including hotels, motels, lodging or boarding
2 houses or tourist homes.

3 p) **"EFFLUENT"** - the water, together with any wastes that may
4 be present, flowing out of a drain, sewer receptacle or
5 outlet.

6 q) **"EMERGENCY"** - an unforeseen circumstance or combination
7 of circumstances that may cause an eminent endangerment
8 to the health and/or welfare of persons, the environment,
9 or which may interfere with the operation of the sewer
10 collection system or the Water Pollution Control Plant.

11 r) **"FOLLOW-UP SAMPLE"** - a sample taken of a User's effluent
12 at the City's discretion from a User receiving scheduled
13 sampling, at times other than those regularly scheduled.
14 A follow-up sample shall be done at no cost to the User.

15 s) **"GARBAGE"** - any solid wastes from the preparation,
16 cooking or dispensing of food or from the handling,
17 storage or sale of produce.

18 t) **"GRAB SAMPLE"** - is defined as an individual discrete
19 effluent sample collected over a period of time not to
20 exceed 15 minutes.

21 u) **"GROUND GARBAGE"** - garbage that is shredded to such a
22 degree that all particles will be carried freely in
23 suspension under the conditions normally prevailing in
24 public sewers, with no particle being greater than one-
25 half (1/2) inch in any dimension.

26 v) **"INDIRECT DISCHARGE"** - the introduction of pollutants
27 into the sewerage system from any nondomestic source
28 regulated under Section 307(b), (c) or (d) of the Act.

29 w) **"INDUSTRIAL WASTES"** - any solid, liquid or gaseous
30 substance or form of energy discharged, permitted to flow
31 or escape, or transported from an industrial,
32 manufacturing, commercial or business operation or
process or from the development, recovery or processing
of any natural resource carried on by any person.

x) **"INFLUENT"** - the water, together with any wastes that may
be present, flowing into a drain, sewer, receptacle or
outlet.

y) **"NORMAL DOMESTIC SEWAGE"** - sewage having an average daily
suspended solids concentration of not more than 300
milligrams per liter, an average daily BOD concentration
of not more than 300 milligrams per liter, an average
daily COD concentration of not more than 600 milligrams
per liter, an average daily phosphorus concentration of
not more than 10 milligrams per liter, and an average
daily ammonia concentration of not more than 25
milligrams.

z) **"NPDES PERMIT"** - the National Pollutant Discharge
Elimination System Permit issued by the Indiana
Department of Environmental Management for discharges of
waste waters to navigable waters of the United States
pursuant to Section 402 of 33 U.S.C. 466.

aa) **"OPERATION AND MAINTENANCE COSTS"** - all costs direct and
indirect, other than debt services including replacement
costs as defined in paragraph 24.1.(ff), necessary to
insure adequate wastewater treatment on a continuing
basis conforming with federal, state or local

1 requirements and to insure long-term facilities
2 management.

3 bb) "OUTLET" - any outlet, natural or constructed, which is
4 the point of final discharge of sewage or of treatment
5 plant effluent into any watercourse, pond, ditch, lake or
6 other body of surface or ground water.

7 cc) "PERSON" - any individual, owner, discharger, lessee,
8 occupant, firm, partnership, company, municipal or
9 private corporation, commercial establishment,
10 association, society, institution, enterprise,
11 governmental agency or other legal unit or entity.

12 dd) "pH" - an expression of the intensity of the base or
13 acidic conditions of a liquid.

14 ee) "POLLUTANTS" -

15 1. "COMPATIBLE POLLUTANTS" - waste containing
16 biochemical oxygen demand, chemical oxygen demand,
17 suspended solids, phosphorus, pH and fecal coliform
18 bacteria and ammonia (NH_3).

19 2. "INCOMPATIBLE POLLUTANTS" - wastes with any
20 pollutant that is not a compatible pollutant which
21 is regulated by the NPDES permit or that would
22 cause damage to the sewage system and/or treatment
23 plant.

24 ff) "RANDOM SAMPLE" - A sample taken at no charge to the
25 User, at the City's discretion of effluent produced by
26 Users not receiving scheduled sampling.

27 gg) "RECEIVING STREAM" - the watercourse, stream or body of
28 water receiving the waters finally discharged from the
29 sewage treatment plant.

30 hh) "REPLACEMENT COSTS" - that cost, stated in current
31 monetary values, as an operating cost which represents
32 and measures the expenditures required to replace
33 equipment, accessories or appurtenances of the property
34 in order to maintain capacity and performance during the
35 useful life of the property of the Water Pollution
36 Control Utility.

37 ii) "REPLACEMENT FUND" - a fund maintained to provide
38 resources to pay for replacement expenditures annually as
39 required to maintain the capacity and performance of the
40 property of the Sewage Works.

41 jj) "SANITARY SEWAGE" - sewage discharged from the sanitary
42 conveniences of dwellings, apartment houses,
43 condominiums, motels, hotels, lodging or boarding houses,
44 office buildings, factories or institutions, and free
45 from storm water, surface water, groundwater and
46 industrial wastes.

47 kk) "SCHEDULED SAMPLE" - Routine sampling of a User's
48 effluent, usually twice a year for a Commercial User and
49 quarterly for Industrial Users.

50 ll) "SERVICE CHARGE" - a charge levied on a user of the
51 treatment works which includes the user charge, a charge
52 for local capital costs, and may include other charges
53 for current services.

- 1 mm) "**SEWAGE**" - the water-carried wastes from residences,
2 business buildings, institutions and industrial
3 establishments, singularly or in any combination,
4 together with such ground, surface and storm waters as
5 may be present.
- 4 nn) "**SEWAGE TREATMENT PLANT**" - "**WATER POLLUTION CONTROL**
5 **PLANT**" (**WPC**) **PLANT**) - the arrangement of devices,
6 structures and equipment used for treating and disposing
7 of sewage and sludge.
- 8 oo) "**SEWAGE WORKS**" OR "**WATER POLLUTION CONTROL UTILITY**" - all
9 facilities and systems for collecting, transporting,
10 pumping, treating, disposing of sewage and sludge,
11 including the sewage treatment plant and the sanitary,
12 storm and combination sewer collection systems whether or
13 not in active use.
- 14 pp) "**SEWER**" - a pipe or conduit for carrying sewage and other
15 waste liquids as differentiated below:
 - 16 1. "**COMBINED OR COMBINATION SEWER**" - a sewer which
17 carries storm, surface and groundwater runoff as
18 well as sewage.
 - 19 2. "**PUBLIC SEWER**" - a sewer to the use of which all
20 owners of abutting property have equal rights and
21 is controlled and maintained by the City or other
22 public authority.
 - 23 3. "**SANITARY SEWER**" - a sewer which carries domestic
24 and unpolluted industrial sanitary sewage and to
25 which storm, surface, groundwaters and unpolluted
26 industrial waste waters are not intentionally
27 admitted.
 - 28 4. "**STORM SEWER**" - a sewer which carries storm,
29 surface and groundwater drainage but excludes
30 sanitary sewage.
- 31 qq) "**SEWER ENGINEER**" - the Chief Sewer Engineer of the City
32 or his duly authorized representative; the term is
33 synonymous with the term "**Water Pollution Control**
34 **Engineer**."
- 35 rr) "**SEWERAGE SYSTEM**" - the network of sewers and
36 appurtenances used for collecting, transporting and
37 pumping sewage to the Sewage Treatment Plant.
- 38 ss) "**SHALL**" means mandatory; "**may**" means permissible.
- 39 tt) "**SLUGLOAD**" - any discharge at a flow rate or
40 concentration which could cause a violation of the
41 prohibited discharge limits set in the Rules and
42 Regulations Section 6.
- 43 uu) "**STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE**" - a
44 classification pursuant to the Standard Industrial
45 Classification Manual used by the U.S. Office of
46 Management & Budget.
- 47 vv) "**STANDARD METHODS**" - the examination and analytical
48 procedures set forth in the most recent edition of
49 "**Standard Methods for the Examination of Water and**
50 **Wastewater**," published jointly by the American Water
51 Works Association and the Water Pollution Control
52 Federation, a copy of which is on file in the Office of
53 the Superintendent.

- ww) **"STRENGTH-OF-WASTE SURCHARGE"** - the additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this Chapter.
- xx) **"SUPERINTENDENT"** - the Superintendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.
- yy) **"SUSPENDED SOLIDS"** - solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in "Standard Methods."
- zz) **"TOXIC POLLUTANT"** - one of 126 pollutants, or combinations of those pollutants, listed as toxic in regulations promulgated by the EPA under the provisions of Section 307 (33 USC 1317) of the Act.
- aaa) **"USER CHARGE"** - a charge imposed on users of a treatment works to defray the cost of operation, maintenance and replacement.
- bbb) **"USER REQUESTED SAMPLE"** - any effluent sampled taken by the City at the request of the User, the cost for which shall be billed to the User.
- ccc) **"WASTE SURVEILLANCE CHARGE"** - a monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by metering, sampling, laboratory analysis and/or other methods deemed necessary. Said charges are set forth in Article VII and are subject to review annually as provided in Section 24-41.
- ddd) **"WATERCOURSE"** - a channel in which the flow of water occurs either continuously or intermittently.

Sec. 51.002. Damage to City Property Prohibited.

It shall be unlawful for any unauthorized person to maliciously, willfully or negligently break, damage, destroy, remove, deface or tamper with any structure, appurtenance or equipment which is part of the City sewage system, the City's Water Pollution Control Plant or property of others assigned to the City for operation and maintenance and shall be liable for damage.

Sec. 51.003. Dilution.

It shall be unlawful for any person to increase the use of potable water or process water in any way, or mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with pretreatment standards or requirements. The City may impose discharge limitations on any persons using dilution to meet applicable pretreatment standards or discharge permit requirements. The City may also impose discharge limitations in other circumstances deemed appropriate by the Board of Public Works.

Sec. 51.004. Accidental Discharges.

- a) Each person shall provide protection from accidental discharge of prohibited or regulated materials or substances to sewers of the City of Fort Wayne. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials shall be provided and maintained at said discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review, and be approved by the City before construction of the facility. Review and approval of plans and operating procedures by the City shall not relieve the discharger from the responsibility to modify its facility as necessary to meet applicable federal, state and local requirements.
- b) All responsible persons shall notify the Superintendent of the Water Pollution Control Plant, or his representative, immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within five (5) days of the incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume and corrective actions taken. Any person who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the City's sewerage system and treatment facilities in addition to the amount of any fines imposed upon the City under state or federal law.
- c) Signs must be permanently posted in conspicuous places on the dischargers' premises, advising employees whom to call in the event of an accidental discharge. Employers shall adequately instruct all employees who may cause or discover such discharges of the emergency notification procedures.

Sec. 51.015. Requirements for Connection to Public Sewers.

- a) No owners of or persons controlling any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro-rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify and such obligation that has been duly recorded nor estop the City from charging and collecting such costs at any subsequent time.
- b) Notwithstanding the foregoing, the Sewage Works may, in accordance with policies and procedures adopted by the Board of Public Works and from time to time, permit any persons to tap or drain into a public sewer and to deter, in whole or in part, payment of the obligation, upon the execution and delivery to the Sewage Works of a note, mortgage, lien document or other evidence of obligation acceptable to the Sewage Works.
- c) All such deferred obligations shall be considered for the purposes of Indiana Code Section 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.
- d) Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be

deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this Ordinance.

- e) Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Works a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Sewage Works prior to backfilling the said sewer installation.
- f) No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building or house drain which is connected either directly or indirectly to a sanitary sewer of the City.
- g) The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.
- h) A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by the City that the downstream facilities of the Sewage Works have adequate capacity to transmit and treat the new waste loadings.
- i) No person shall make use of a sewer tap or back-fill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Sewage Works. In addition to all other remedies, the Sewage Works may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection and may require the owner or occupant to pay or reimburse the Sewage Works for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Article IX of this Chapter.
- j) No person shall construct any combination sewers without the express written consent and approval of the Board of Public Works.
- k) The Board of Public Works shall have the authority to require that new construction tributary to any combined sewer be designed to minimize or delay inflow contribution to the existing combined sewerage system.
- l) The Board of Public Works shall have the authority to require that for any new building any storm sewer connection to any combined sewer shall be made separate

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and apart from the sanitary sewer connection in order to
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facilitate future disconnection from the combined sewer
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in the event a separate storm sewer subsequently becomes
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available.
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Sec. 51.016. Extensions of Sewers Outside Corporate Limits.

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The installation, construction, or extension of sanitary
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sewers by private developers or by the City outside the
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corporate limits of the City and the connection of said
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sanitary sewers into the City's sewage system from, by, to, or
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for properties located outside such limits is prohibited,
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except with the approval of the Board of Public Works by duly
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enacted resolution, provided that a resolution ratifying and
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agreement and/or contract for such construction and connection
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shall be deemed to constitute such approval.
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Sec. 51.017 Connections to Sewerage System by Certain
Properties Outside Corporate Limits.

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Notwithstanding the provisions of Sec. 24-4, the Board of
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Public Works shall have the authority to permit a property
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located outside the corporate limits of the City to connect to
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an existing sanitary sewer which is part of the City's
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sewerage system, when the property abuts, adjoins or is
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immediately contiguous to the street, alley or easement in
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which such sewer is located and provided the property owner or
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occupant has complied with the requirements prescribed by Sec.
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24-3 of this Chapter.
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COMMERCIAL AND INDUSTRIAL WASTES AND DISCHARGES

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Sec. 51.030. Prior Approval for Certain Wastes.

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Review and acceptance by the Superintendent shall be obtained
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prior to the discharge into the sewage works sewers by any
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persons having sewage wastes which contain:
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a) Either a BOD content greater than 300 milligrams per
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liter or a COD greater than 600 milligrams per liter.
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b) A suspended solids content greater than 300 milligrams
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per liter.
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c) A phosphorus content greater than 10 milligrams per
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liter.
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d) An ammonia content greater than 25 milligrams per liter.
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e) Other contaminants which either from their constituents
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or quantities will: (a) interfere with the operation of
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any portion of the Sewage Works; (b) pass through the
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treatment works or otherwise be incompatible with such
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works; (c) prevent the reclamation and/or recycling of
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municipal or industrial wastewaters and sludges.
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However, nothing in this section or elsewhere in Chapter 51
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shall be read to allow the user to discharge pollutants which
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shall cause interference or pass through and/or to absolve the
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user from liability in the occurrence of a discharge which
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causes such interference or pass through.
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1 Sec. 51.031. Pretreatment Facilities; Approval of Proposed
2 Plans, Operation.

3 (A) General.

4 When, after making such a review, the Superintendent concludes
5 that, before the person discharges waste into the public
6 sewers, the person must modify or eliminate those constituents
7 which would be harmful to the structures, processes, or
8 operations of any portion of the Sewage Works or injurious to
the health of the general public, then that person shall
either modify the wastes at the point of origin or shall
provide and operate, at said person's expense, such treatment
and processing facilities as may be deemed necessary to render
said person's waste acceptable for admission to the public
sewers.

9 (B) Prior Approval.

10 Plans, specifications and any other pertinent information
11 relating to proposed treatment or processing facilities shall
12 be submitted to the Superintendent for examination and
13 approval. No construction of such facilities shall begin
14 until the Superintendent has given written approval. Such
15 approval shall not exempt the person from the obligation to
16 make further reasonable adaptations of such facilities when
17 such adaptations prove necessary to secure the results of
18 acceptable waste concentrations desired. The approval of
19 proposed facilities and/or equipment by the Superintendent
20 does not in any way guarantee that such facilities and/or
21 equipment will function in the manner described by the
22 person's constructor or the manufacturer of said facilities
23 and equipment, nor shall such approval relieve any person of
24 the responsibility of enlarging or otherwise modifying such
25 facilities to accomplish the intended purposes.

26 (C) Operation.

27 Where pretreatment facilities are provided pursuant to the
28 Superintendent's approval, they shall be maintained
29 continuously in satisfactory and effective operating condition
at the person's expense and shall be subject to periodic and
random inspection and sampling by the City. The person
responsible for such facilities shall maintain suitable
operating records which shall be open to inspection by the
City, and shall submit to the Superintendent such monthly
summary reports of the character of the influent and effluent
of the facilities as the Superintendent may require. All
records and reports shall be retained for a minimum of three
(3) years. All industry whether defined as Categorical or
Non-Categorical Industry by state and federal regulations
shall comply with all requirements of 40 CFR 403.12.

30 Pursuant to 40 CFR 403.12(o), the City may, at its discretion,
31 require that records be kept for a longer period in the case
32 of unresolved litigation or when requested by the Approval
Authority.

33 All industries whether defined as Categorical or Non-
34 categorical Industry by State and Federal Regulation shall
35 comply with all requirements of 40 CFR 403.12, including, when
36 applicable, Baseline Monitoring Reports (BMRs), 90 Day
37 Compliance Reports, and Periodic Compliance Reports.

1 **Sec. 51.032. Federal Pretreatment Standards.**

2 As part of this Ordinance the City shall enforce all federal
3 pretreatment standards including but not limited to
4 Categorical Pretreatment Standards upon persons within its
5 service area or within the service area of any Contract
6 Customers.

7 Categorical Industrial Users must comply with all applicable
8 National Categorical Pretreatment Standards found in 40 CFR
9 Chapter 1, Subchapter N, Parts 405-471. These Standards are
10 hereby incorporated into this Ordinance.

11 **Sec. 51.033. Prohibited Discharges and Limitations.**

12 Except as hereinbefore provided, no person shall discharge or
13 cause or permit to be discharged into the public sewer any of
14 the following described substances, wastes or waters:

- 15 a) Any liquid or vapor having a temperature greater than
16 140° F. (40°), or any wastewater which will cause the WPC
17 Plant's influent to exceed 104° F. (40° C.).
- 18 b) Any waters or wastes containing more than 100 milligrams
19 per liter of petroleum or mineral based grease, oils,
20 fats or waxes. Acceptable limits for animal-vegetable
21 based fats, oils and grease shall be determined by the
22 Board of Public Works and set out in the Sewer Utility
23 Rules and Regulations. Said maximum limits shall be
24 calculated and set at an amount shown not to cause
25 interference or obstruction in the collection system
26 and/or sewerage works, and shall be re-evaluated and
27 adjusted as necessary to protect the integrity of the
28 sewer utility.
- 29 c) Any gasoline, benzene, naphtha, fuel oil, mineral oil or
30 any other flammable or explosive solid, liquid or gas.
- 31 d) Any noxious or malodorous gas or substance which either
32 alone or by interaction with other wastes, is capable of
33 creating a public nuisance or hazard to life or of
34 preventing entry into the sewers of their maintenance or
35 repair.
- 36 e) Any garbage that has not been properly pretreated and
37 reduced per Sec. 24-1(p).
- 38 f) Any ashes, cinders, sand, mud, straw, shavings, wood,
39 metal, glass, rags, feathers, tar, plastics, paunch
40 manure, butchers' offal or any other solid or viscous
41 substances capable of causing obstruction to the flow in
42 sewers or other interference with the proper operation of
43 the sewerage system or the Sewage Treatment Plant.
- 44 g) Any waters or wastes having a pH less than 6.0 or greater
45 than 10.0 or having any other corrosive property capable
46 of causing damage or posing hazards to the structures,
47 equipment or personnel of the Sewage Works.
- 48 h) Any waters or wastes containing toxic substances, as
49 defined under Section 307 (b) and (c) of the Clean Water
50 Act in sufficient quantity to interfere with the
51 biological process of the Sewage Treatment Plant or that
52 will pass through the Plant into the receiving stream in
53 amounts exceeding the standards set forth by federal,
54 interstate, or other competent authority having

jurisdiction, or will prevent the disposal of the sludges by the Plant in accordance with Section 405 of said Act.

- i) Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Regulations.
- j) Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.
- k) Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to handle such materials at the Sewage Treatment Plant, its pumping stations or other facilities.
- l) Any waters or wastes containing incompatible pollutants as herein described.
- m) Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, that will pass through the plant into the receiving waters or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate or local limitations whichever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules and Regulations.
- n) Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.
- o) Any substances with objectional color not removed by the treatment process, such as, but not limited to dye waste and vegetable tanning solutions.
- p) The City reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the Sewage Works or in the event the user is or has been repeated violation of this Ordinance. The City further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.
- q) Pollutants which create a fire or explosion hazard in the City's treatment works or sewage system, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit, or 60 degrees Celsius, as determined by methods specified in 10 CFR 261.31

Sec. 51.034. Responsibility for Obstruction or Damage To Sewers.

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall

1 reimburse the City for the expenses incurred by the City for
2 cleaning out, repairing, rebuilding the sewer or for any
3 litigations or damage claims resulting therefrom, including
4 legal fees and court costs. For multiple offenders, each
5 responsible person shall be assessed a proportionate
percentage of the damage.

5 **Sec. 51.035. Submission of Data on Industrial Waste.**

6 a) The following conditions are required for all SIU
7 permits, and also may be incorporated into other permits
8 at the discretion of the Superintendent:

9 1) a statement of duration;

10 2) a statement of non-transferability;

11 3) applicable Federal, State and local effluent
12 limits;

13 4) self-monitoring, sampling, reporting, notification,
14 and recordkeeping requirements; and

15 5) a statement of applicable civil and criminal
16 penalties, pursuant to 40CFR 403.8(f)(1)-(iii).

17 a) Any person who discharges industrial waste into the
18 City's sewerage system either directly or indirectly,
19 shall forthwith fill out and file, with the
20 Superintendent, an Industrial Waste Questionnaire,
21 baseline monitoring report or permit application, the
22 form for which will be furnished by the City, in which
23 shall be set forth the quantity and characteristics of
24 the wastes discharged into the City's sewerage system.
25 Any owner desiring to establish a new connection to the
public sewer or to establish a new account with Sewage
Works for the purpose of discharging industrial or
commercial waste shall ninety (90) days prior to
discharge first fill out and file with the Superintendent
such a questionnaire, baseline monitoring report or
permit application, which shall contain the actual or
predicted data relating to the quantity and
characteristics of the wastes to be discharged. After
review of the submitted documents and permit application,
the Superintendent shall issue an industrial wastewater
discharge permit which shall contain conditions and
requirements with which the person shall comply. All
Rules and Regulations of the Sewer Utility must also be
followed by a permitted user.

26 b) Any person who adds, changes, modifies or proposes to
27 change manufacturing or pretreatment processes shall
28 first notify the Sewage Works, in writing, and submit a
new or revised Industrial Waste Questionnaire for review
by the Superintendent.

29 c) Industrial Users must provide prior notification to the
30 Superintendent of the WPC Plant before any changes are
made to their effluent.

31 d) Any person who knowingly makes any false statement,
32 representation or certification in any application,
report or other document required by the municipal
ordinance or other applicable regulations shall, upon
conviction be punished by the imposition of a criminal
penalty as required by local and/or State statutes.

1 e) When special circumstances render it an unreasonable
2 burden to comply with the time schedule determined by the
3 Sewage Works for the correction of any industrial waste
4 discharge problem, an extension of time, not to exceed 90
 days, may be granted by the Superintendent upon
 presentation in writing of an application for such
 relief.

5 Sec. 51.036 Confidential Information.

6 Information and data furnished to the City by any person shall
7 be made available to the public or other governmental agency
8 without restriction unless the person specifically requests
9 and is able to demonstrate in accordance with 40 CFR 2.203 and
10 330 IAC 5-1.5-8 that the release of such information would
11 divulge information and/or methods of production entitled to
12 protection as trade secrets or proprietary information of said
13 person. The above limitation to access has no application to
14 the USEPA, which shall be entitled to immediate and unlimited
15 access to all information collected by the City under its
16 Pretreatment Program. Further, under no circumstances may the
17 volume or the components of the discharge be considered
18 confidential. All requests, by the User, for confidentiality
19 of information shall be made in accordance to and governed by
20 the provisions of 330 IAC 5 and 40 CFR 2.

21 Sec. 51.37. Control Manholes.

22 Any person who discharges or may discharge industrial wastes
23 into a public sewer via any means such as floor drains, sinks,
24 catch basins, etc., shall be required by the Superintendent to
25 construct and maintain, at his own expense, one or more
26 control manholes, at a specified location or locations, to
27 facilitate the observation, measurement and sampling of
28 owner's waste. Such manholes shall be constructed in
29 accordance with the standards and specifications of the City.
30 The Superintendent may also require the person to install and
31 maintain in any such manhole, at said person's expense, an
32 approved volume-measuring device. Plans and/or shop drawings
33 for the installation of control manholes and related equipment
34 shall be approved by the Superintendent before any
35 construction is begun.

36 Sec. 51.038. Grease and Sand Traps.

37 Whenever the Superintendent determines that interceptors or
38 traps are needed to protect the City's sewerage collection
39 system or the City's Treatment Plant from grease, oil, sand or
40 similar substances occurring in any person's sewage and so
41 notifies said person, then such traps shall be promptly
42 installed by said person, at said person's expense and shall
43 be so maintained by that person that none of such substances
44 can be discharged or carried over into the public sewers. All
45 traps or interceptors shall meet the City's standards as to
46 construction, location and installation.

47 Sec. 51.039. Inspections; Waste Sampling.

48 a) Any person shall be subject to periodic and random
49 inspections by the City for the purpose of determining
50 compliance with permit limitations, solvent management
51 plans or spill prevention plans, identifying dilution
52 streams or to categorize regulated processes. These
53 inspections may consist of monitoring waste streams,

inspection of the premises, inspection and/or copying of production records, pretreatment operating records and other records or data deemed necessary by the inspector for the purposes stated above.

- b) The installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.
- c) Where any person's operations have security measures in force which require proper identification and clearance before entry onto said person's property is granted, such person shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the City shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that person shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to City personnel.

Sec. 51.040. Waste Analysis Procedures and Charges.

Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods", Code of Federal Regulations 40 CFR 136 or approved EPA methods.

- a) **CHARGES TO USERS** - alternate methods for certain analyses of commercial, industrial or institutional establishments may be used subject to mutual agreement between the Superintendent and the user. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes. When surveillance sampling is conducted by the City, a split shall be made available for analysis by user upon request. In the event of a dispute between the Superintendent and the user as to the toxic nature or other particulars of the sample taken and analyzed by the City, the dispute shall be resolved through an appeals process consistent with approved USEPA or IDEM guidance documents and methodology, the specific procedures for which shall be set out in the Rules and Regulations of the WPC Utility. Analyses made by the City at the request of the user shall be charged to the user according to the Sewage Works' standard work order billing procedure.
- b) **CHARGES TO GOVERNMENTAL AGENCIES** - analyses performed by the Water Pollution Control Plant Laboratory for any governmental agency, or political sub-division of a city, county or state shall be billed to such agency or sub-division for direct labor and expenses according to the Sewage Works' standard work order billing procedure. Analyses performed for other agencies shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the analyses warrants such priority.
- c) **CHARGES OF OUTSIDE SERVICES** - Analyses performed by the Water Pollution Control Plan Laboratory for any person shall be billed at the rate established by the Water Pollution Control Plan Laboratory for such analyses.

1 d) **CHARGES COLLECTED** - All waste analysis charges collected
2 under Section 24-23-a) and b) above shall be recorded as
3 credits to the operating costs of the Water Pollution
4 Control Plant and a quarterly accounting thereof shall be
5 forwarded to the Superintendent. All such charges are to
6 be used to defray the operation and maintenance expenses
7 incurred by the Water Pollution Control Plant in
8 performing said analyses.

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12 **Sec. 51.041. Use of Representative Analysis.**

13 Until an adequate analysis of a representative sample of
14 user's wastes has been obtained, the City may, for the purpose
15 of this Chapter, make a determination of the character and
16 concentration of the wastes by using data based on analysis of
17 similar processes or data for this type of business that are
18 available from the United States Environmental Protection
19 Agency or from industry-recognized authoritative sources.
20 This method, if selected by the City, shall continue at the
21 City's pleasure or until an adequate analysis has been made.

22
23 **Sec. 51.051 Connection to Public Sewer Required When**
24 **Available.**

25 Any and all private sewer systems of any kind now existing in
26 or on premises where a public sewer is now or may hereafter
27 become available shall be discontinued, emptied of their
28 contents, cleaned out and be filled with earth or ashes and
29 the building sewer shall be connected to the public sewer.
30 All such connections to the public sewer shall be made within
31 90 days after the public sewer becomes available. Any person
32 who owns, leases, occupies or controls such property shall be
33 responsible for the connection to the public sewer.

34
35 **Sec. 51.052 Construction Permit Required for Private**
36 **System; Application; Fee; Duration.**

37 A. (1) Prior to the commencement of excavation or
38 construction for any residential or commercial building
39 where a private sewage disposal system or privy is
40 proposed to be installed; or where any alteration,
41 repair, addition or new installation serving any existing
42 private sewage disposal system is proposed, the owner,
43 lessee, occupant or any other person having an interest
44 in the property first shall obtain a construction permit
45 from the Fort Wayne-Allen County Health Officer.

46 (2) No person shall perform any work on such
47 project unless a valid construction permit first is
48 obtained and is properly posted in a conspicuous place at
49 or near the building where the private sewage disposal
50 system is to be constructed.

51 (3) The permit shall be plainly visible from
52 the public thoroughfare serving the building until the
53 project is completed.

54 (4) The application for such permit shall be
55 submitted to the Fort Wayne-Allen County Health Officer
56 on a form provided by such officer, supplemented by any
57 plans, specifications and other information as deemed
58 necessary by the Fort Wayne-Allen County Health Officer.

59 (B) The application form and permit shall be
60 prepared by the Fort Wayne-Allen County Health Officer.

(C) A permit and inspection fee of \$10 shall be paid to the City's General Fund at the time of filing the application.

(D) A construction permit shall be valid for one year from the date of issuance, and may be renewed for six months upon application; provided that when renewed the permittee shall comply with any changes in the rule, standards or requirements which may have come into effect subsequent to the original date of issuance.

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Sec. 51.053 COMPLIANCE WITH STATE BOARD OF HEALTH
REGULATIONS REQUIRED.

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Construction permits shall not be granted unless all requirements of Indiana State Board of health Regulations HSE 25-R (Residential On-Site Waste Water Disposal) are met. A copy of Regulation HSE 25-R shall be on file in the office of the Fort Wayne-Allen County Board of Health.

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Sec. 51.054 INSPECTION OF PRIVATE SYSTEM DURING
CONSTRUCTION.

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Upon issuance of a construction permit, the permittee may commence installation and construction of the private sewage disposal system in compliance with the permit issued therefor. The Fort Wayne-Allen County Health Officer may inspect the work at any stage of construction. Upon substantial completion of the installation, the permittee shall notify the Fort Wayne-Allen County Health Officer that the work is ready for inspection and no portion of the installation shall be covered until the inspection is made. No portion of the installation shall be used and, when the system serves a new building, no person shall be permitted to use the building(s) until the inspection has been completed and the system is found to be in compliance with the permit. The inspection shall be made within two working days of the receipt of notice by the Fort Wayne-Allen County health Office that the system is ready for inspection.

21
22
Sec. 51.055 FORT WAYNE-ALLEN COUNTY BOARD OF PUBLIC HEALTH
TO ENFORCE PROVISIONS.

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The provisions of this subchapter shall be enforced by the Fort Wayne-Allen County Board of Public Health and their authorized representatives.

26
Sec. 51.065. Charges Based on Water Usage/Flat Charges.

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The charges made for sewerage service rendered to each lot, parcel of real estate or building having any connection with the City's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers after being used in or on the property, as the quantity is measured by the water meter or meters there in use by the City's Water Utility, except as herein otherwise provided. Flat charges shall be assessed on a monthly basis. For the purposes of this Ordinance, a month shall constitute 25-35 days. Service periods falling outside this parameter shall be prorated.

1 Sec. 51.066. Water Obtained from Sources Other Than City's
2 Water Utility.3 Where the property obtains any part or all of the water used
4 from sources other than the City's Water Utility, the owner or
5 the tenant may be required by the City to install and maintain
6 at the user's own expense a meter or meters acceptable to the
7 City for the quantity of water obtained from these other
8 sources.9 Sec. 51.067. Exempt Water - General.10 Where a significant portion of the metered water does not and
11 cannot enter the sewerage system, either directly or
12 indirectly, the person having charge of the property may
13 request permission from the City to install at the user's
14 expense either an approved meter or meters to determine the
15 quantity of water that cannot enter the sewerage system or an
16 approved sewage-measuring device or devices to determine the
17 volume of sewage that actually enters the sewerage system. In
18 any case the service charge shall be based on the quantity of
19 water that can or actually does enter the public sewers but in
20 no case shall it be less than the minimum charge for the class
21 of user served.22 Sec. 51.068. Metering of Sewage.23 The City may require a person to install and maintain at the
24 user's expense an approved device to measure directly the
25 volumes of wastes discharged to the sewerage system if those
26 volumes cannot otherwise be determined from the metered-water
27 consumption records. The City shall inspect and approve such
28 installation and no such services, once installed, shall be
29 removed without the City's approval.30 Sec. 51.069. Residential User Charges.31 A. Service Charge32 Charges for services rendered shall be based on metered water
33 consumption unless otherwise measured in accordance with the
34 following charges for this classification of service:35 Cents per 100 cu. ft.

Treatment	56.06
Conveyance, Collection, Billing	30.33
Capital	16.38
Total User Charge	102.77

36 B. User Minimum Charges and Other Fixed Payments37 In the event the monthly sewage Service Charge calculated in
38 accordance with the schedule above does not exceed the minimum
39 monthly charge for each class of user as set forth hereafter,
40 user shall pay said minimum monthly charge, in lieu of the
41 charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86

4"	<u>121.12</u>
6" or larger	<u>336.28</u>

C. User Flat Charges

In the event that any user in this classification is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>
	<u>In City</u> <u>Out-City</u>
Residential User-Single Family Dwelling	\$10.28 \$12.30
Residential User-Multi Family Dwelling	To be estimated by City

- 1.) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges.
- 2.) The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

D. Inbalco Capital Surcharge - per month \$4.65

Sec. 51.070. Industrial User Charges.

A. Service Charge

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for this classification of service:

<u>Cents per 100 cu. ft.</u>	
Treatment	56.06
Conveyance, Collection, Billing	30.33
Capital	16.38
 Total User Charge	 102.77

B. User Minimum Charges and Other Fixed Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

C. Other Industrial User Charges

1) Monthly billing charge - per bill \$3.15

2) Excess Strength of Wastes Surcharge - in the event an industrial user contributes waste having strength of sewage in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

Cents Per Pound

Suspended Solids - (SS)	\$ 6.12
Biochemical Oxygen Demand - (BOD)	6.79
Phosphorus - (P)	55.14
Ammonia - (NH-3)	16.73

D. User Flat Charges

In the even any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the City.

Sec. 51.071. Commercial User Charges

A. Service Charge

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for this classification of service:

Cents per 100 cu. ft.

Treatment	56.06
Conveyance, Collection, Billing	30.33
Capital	16.38
Total User Charge	102.77

B. User Minimum Charges and Other Fixes Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

Water Meter Size

Minimum Monthly Charge

5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

C. User Flat Charges

In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge rate estimated by the City.

D. Inbalco Capital Surcharge - per month

\$4.65

E. Other commercial User Charges

In the event any user under this classification contributes waste having a strength of sewage in excess of domestic waste characteristics as hereinbefore defined, such user will be charged for surveillance and surcharges as set forth elsewhere

herein for Industrial Users, except as set out in the following paragraph.

Restaurants

Commercial users primarily engaged in the business of preparing and selling cooked food items and beverages shall pay an extra-strength surcharge of 34.26 cents per one hundred cubic feet in lieu of those scheduled surcharges otherwise set forth herein. For the purposes of this Chapter, a user qualified to hold a supplemental retailer's permit under Indiana Code 7.1-3-16.5-2(a) or (b) shall be presumed to fall within this category.

Sec. 51.072. Institutional User Charges.

A. Service Charge

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for this classification of service:

Cents per 100 cu. ft.

Treatment	56.06
Conveyance, Collection, Billing	30.33
Capital	16.38
Total User Charge	102.77

Total User Charge 102.77

B. User Minimum Charges and Other Fixed Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

Water Meter Size

Minimum Monthly Charge

5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

C. Other Institutional User Charges

In the event any user under this classification contributes waste having a strength of sewage in excess of domestic waste characteristics as hereinbefore defined, such user will be charged for surveillance and surcharges as set forth elsewhere herein for Industrial Users.

D. User Flat Charges

In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the City.

E. Inbalco Capital Surcharge - per month \$4.65

1 Sec. 51.073. Governmental User Charges.2 A. Service Charge

3 Charges for services rendered shall be based on metered water
 4 consumption unless otherwise measured in accordance with the
 following charges for this classification of service:

5 Cents per 100 cu. ft.

Treatment	56.06
Conveyance, Collection, Billing	30.33
Capital	16.38
Total User Charge	<u>102.77</u>

8 B. User Minimum Charges and Other Fixed Payments

10 In the event the monthly sewage Service Charge calculated in
 11 accordance with the schedule above does not exceed the minimum
 12 monthly charge for each class of user set forth hereafter,
 user shall pay said minimum monthly charge, in lieu of the
 charge calculated based on water usage, as follows:

Water Meter Size	Minimum Monthly Charge
5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

17 C. Other Governmental User Charges

18 In the event any user under this classification contributes
 19 waste having a strength of sewage in excess of domestic waste
 20 characteristics as hereinbefore defined, such user will be
 charged for surveillance and surcharges as set forth elsewhere
 herein for Industrial Users.

21 D. User Flat Charges

22 In the event any user in this classification is not a metered
 23 water customer, there shall be imposed a flat charge estimated
 by the City.

24 E. Inbalco Capital Surcharge - per month \$4.6526 Sec. 51.074. Contract Customers - Unit and Other Charges.

27 In the event the City consummates a contract to serve as a
 28 regional treatment plant for any other municipality or private
 29 sewage utility, either contiguous to the City or in its
 environs, said contract shall provide for the following unit
 charges:

31 a) Volume Charge (cents per 100 cu. ft.).

Treatment	56.06
Capital Charge	.34
	56.40

1 b) Variable Charge (cents per 100 cu. ft.).

2 A variable charge for conveyance and collection costs
 3 attributable to the portion of the conveyance system and
 4 operating costs associated therewith used by the contract
 5 customer shall be computed by the City and added to the
 6 volume surcharge.

5 c) Flat Charge.

6 In addition to the foregoing charge based on volume of
 7 sewage treated and conveyed each contract customer will
 8 pay a monthly billing charge of \$3.15 and a monthly
 9 surveillance charge of \$146.65.

8 d) Excess Strength of Waste Surcharge.

9 In the event an institutional user contributes waste
 10 having a toxic strength in excess of domestic waste
 11 characteristics, as hereinbefore defined, a surcharge
 12 based on the following unit process charges will be in
 13 effect for all waste found to be in excess of
 14 limitations:

13 Cents Per Pound

Suspended Solids - (SS)	\$ 6.12
Biochemical Oxygen Demand - (BOD)	6.79
Phosphorus - (P)	55.14
Ammonia - (NH-3)	16.73

16 e) Capital Surcharge.

17 In the event a contract customer delivers sewage for
 18 treatment to City for a period of 90 consecutive days
 19 which is in excess of base MGD contracted for, then
 20 customer will be subject to an additional capital charge
 21 computed at the capital charge (per 100 cu. ft.) then in
 22 effect times the excess percentage of MGD represented by
 23 dividing actual MGD by contracted MGD.

22 f) Other Provisions.

23 In the event sewage received pursuant to any contract
 24 entered into under this section exceeds any of the
 25 limitations imposed by this Chapter, the City shall have
 26 the right to impose all charges, limitations and
 27 penalties applicable to any non-contract user by the
 28 City. Each contract entered into by the City pursuant to
 29 the foregoing rate classification shall provide that the
 30 contract customer shall agree to enact and maintain a
 31 Sewer Use Ordinances and User Charge System acceptable to
 32 the City and in conformance with the City's obligations
 33 under Sec. 204 (b) (1). Public Law 92-500 as amended and
 34 supplemented, and guidelines and regulations promulgated
 35 thereunder by the U.S. Environmental Protection Agency
 36 and 40 CFR 35-905-8, 35-928-1 and 35-928-2 and 35-935-13.

30 Sec. 51.075. Bulk Waste Charges.

31 Industrial - for all industrial waste suitable for disposal
 32 directly through the plant digestors which as been delivered
 33 by the Customer to City's plant - \$287.50 per load. For
 34 purposes of computing charges hereunder, a load is defined as
 35 5,000 gallons of tank capacity or fraction thereof.

2 Domestic - for all domestic waste delivered to plant by
3 customer's truck or tank - \$37.25 per load. For purposes of
4 computing charges hereunder, a load is defined as 1,000
5 gallons of tank capacity or fraction thereof.

6 **Sec. 51.076. Liability for Surcharge.**

7 Each user discharging wastes into the sewerage system shall be
8 subject to a strength-of-wastes surcharge, in addition to
9 other sewage service charges imposed by this ordinance, based
10 on the following minimum strength characteristics to the
11 extent that such wastes are in concentrations greater than:

- 12 a) Biochemical oxygen demand of 300 milligrams per liter.
- 13 b) Chemical oxygen demand of 600 milligrams per liter.
- 14 c) Suspended solids content of 300 milligrams per liter.
- 15 d) Phosphorus content of 10 milligrams per liter.
- 16 e) Ammonia content of 25 milligrams per liter.

17 **Sec. 51.077. Computation of Surcharge.**

18 The surcharge shall be determined as follows:

19 The excess pounds of BOD or COD (whichever results in the
20 higher charge) suspended solids, phosphorus and ammonia will
21 each be computed by first multiplying the user's billing
22 sewage volume measured in units of 100 cubic feet for the
23 current billing period by the factor 0.0062321 and then
24 multiplying this product by the difference between (a) the
25 concentrations measured in milligrams per liter, of the BOD
26 (or COD), suspended solids, phosphorus and ammonia
27 respectively in the user's sewage and (b) the allowed
28 concentrations set out in Section 24-38. The surcharge for
29 each constituent will then be determined by multiplying the
30 excess pounds of each constituent by the appropriate rate of
31 surcharge set out in Section 24-31. In the event COD
32 measurement is used, as hereinbefore provided, 50% of the
33 excess pounds measured will be used to compute the equivalent
34 BOD charge.

35 **Sec. 51.078. Continuing Surveillance Sampling/Waste**
36 **Evaluation Charges.**

37 All users discharging wastes into the system requiring
38 continuing surveillance sampling and waste evaluation shall be
39 subject to a monthly fixed charge to cover the costs of such
40 services in the amount of \$146.65 per discharge point. In the
41 event any user is not in compliance with effluent discharge
42 limitations, as set forth elsewhere herein, and such non-
43 compliance requires additional surveillance, sampling and
44 waste evaluation, the user will be charged \$146.65 per
45 occurrence.

46 However, Commercial Users primarily engaged in the business of
47 preparing and selling cooked food items and beverages as
48 derived in section 24-32 shall be subject to waste evaluations
49 and/or surveillance sampling at least semi-annually, the cost
50 for which shall be billed to said user.

1 Sec. 51.079 ANNUAL REVIEW OF SERVICE CHARGES AND
2 SURCHARGES; REVISION OF CHARGES AND RATES.

3 Prior to May 1 of each year, the Chief Financial Officer
4 of the City Utilities and an independent certified public
5 accountant employed for that purpose shall submit to the Board
6 of Public Works a comparison of the calculated unit cost for
7 flow, removal of BOD, suspended solids, ammonia and phosphorus
8 from the Water Pollution Control Plant influent during the
9 previous year with unit charges currently in effect, from
10 which the Board shall determine whether the current service
11 charges and surcharges are adequate or should be changed, and
12 to request legislative enactment of said changes by the Common
13 Council. The methodology used in developing this cost
14 comparison shall include:

15 (A) A system including the distribution of the cost
16 of operation and maintenance of the treatment works of
17 the WPC utility to each user class in proportion to such
18 user's contribution to the total waste loading of the
19 treatment works. Factors such as strength, volume and
20 delivery flow characteristics shall be considered and
21 included as the basis for the user's contribution to
22 insure a proportional distribution of operation and
23 maintenance and replacement costs to each user class.

24 (B) Total annual service charges and surcharges
25 collected from each individual user class shall be deemed
26 sufficient if said charges have generated during the
27 prior operating period sufficient revenue to offset the
28 cost of all treatment works operation and maintenance
29 provided by the utility, including cost of management,
30 system repair and replacement, debt retirement and other
31 costs incidental to the utility operation attributable to
32 such class.

19 DELINQUENT ACCOUNTS20 BILLING OF SERVICE CHARGES;22 Sec. 51.090 Billing Period.

23 a) Charges for sewerage services shall be computed and
24 billed by the General Office of the City Utilities.
25 Bills shall be rendered approximately monthly, unless
26 additional billing is required to reflect customer
27 changes, meter changes, service terminations, initial
28 billings or is otherwise required to adjust billing
29 cycles. For the purpose of this Ordinance, a month shall
30 constitute 25-35 days. Service periods falling outside
31 this parameter shall be prorated.

32 b) Billings for sewerage service shall be rendered with and
33 shall be due and payable on the same due date as billings
34 for water service to the same premises, if any, and if
35 none, then within such billing cycle as the Utility may
36 determine.

31 Sec. 51.091. Liability for Payment; Examination of Utility
32 Records.

33 a) Charges for sewerage service shall be billed to the
34 person being billed for water service, if any, unless by
35 contract with the Utility, another person assumes
36 responsibility for payment. Notwithstanding billing to,

1 and assumption of responsibility by any person, charges
2 for sewerage service shall remain the responsibility of
3 the owner of the real estate, who shall hold the Utility
4 harmless from any loss occasioned by the delinquency of
5 the person billed, including all penalties, recording
6 fees, attorney's fees, interest, and court costs, if any.

7 b) The owner of the real estate or person billed shall have
8 the right to examine the Utility's records of billing and
9 collection to ascertain whether such charges have been
10 paid, and the amount thereof.

11 c) Nothing herein contained shall permit any person other
12 than the owner, or the person being billed, to inspect,
13 examine or otherwise obtain confidential information
14 including the payment/credit history, income, employment,
15 finances or social security number of the person being
billed.

16 **Sec. 51.092. First Billings.**

17 The rates, charges and surcharges fixed in this Chapter shall
18 extend to and cover any additional premises hereafter served,
19 without hearing or notice. If the first billing to a new user
20 covers a period other than a full billing month, then the
21 charges for sewerage service for such billing shall be made in
22 accordance with standard practice employed by the City's Water
23 Utility.

24 **Sec. 51.093 City Subject to Charges.**

25 For sewerage services rendered to the City, or any department,
26 structure, or property, thereof, the City shall be subject to
27 the same rates and charges herein established for other
28 persons, or to rates and charges established in harmony
29 herewith.

30 **Sec. 51.094. Consolidation of Accounts.**

31 Where an industrial, commercial or other non-residential
32 enterprise is operating in a unified manufacturing or service
arena composed of two or more contiguous parcels of real
estate and is supplied with water through two or more meters,
upon application by the owner or his authorized agent, a
consolidation of the water meter readings may be made for the
purpose of calculating the sewerage service charge.

33 **Sec. 51.095. Notice of Capital Surcharge.**

34 The City Clerk shall certify a copy of Special Ordinance No.
35 2-233-81, enacted October 28, 1981, and all amendments
36 thereto, heretofore or hereafter adopted, and shall record
37 such certified copy in the Office of the Recorder of Allen
38 County, Indiana to provide constructive notice to the owners
39 and purchasers of real property in Adams Township and St.
40 Joseph Township that a capital surcharge may be imposed upon
41 properties connected to, or to be connected to, the City
42 Utility Sewerage System, in those areas of said townships
43 formerly served by sewerage system purchased or otherwise
44 acquired by the City Utility.

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Sec. 51.096. Delinquent Accounts; Penalties

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Charges for sewerage service levied pursuant to this Chapter
shall be due and payable on or before the due date stated on
the bill. Any charge for sewerage and/or stormwater service
not aid by the due date shall be delinquent, and may be
collected, with any applied penalty, recording fees, service
charges, attorney's fees, interest and court costs, if any, in
accordance with this Chapter and with Indiana Code Sections
36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%)
of the amount of the charges for sewerage service and/or
stormwater service shall be attached to the delinquent
charges.

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Sec. 51.097. Termination of Water Service Due to
Delinquency.

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Where the property having a delinquent account for charges for
sewerage service is served by the City's Water Utility, the
Utility may, after reasonable notice to the person being
billed, as provided by the Rules and Regulations of the
Utility adopted by the Board of Public Works, shut off water
service to the property. Water service shall not be restored
until the delinquent account, together with any required
deposit and the costs of turning off/turning on the water,
shall have been paid.

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Sec. 51.098. Termination of Sewer Service Due to
Delinquency.

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In addition to all other remedies provided, the Utility may,
after reasonable notice to the person being billed, as
provided by the Rules and Regulations of the Utility adopted
by the Board of Works, terminate sewerage service to the
property. Sewerage service shall not be restored until the
delinquent account, together with the costs of terminating an
reconnecting service, shall have been paid.

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22
Sec. 51.099. Delinquent Fees and Penalties as Liens;
Duplicates - Collection.

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26
Delinquent charges for sewerage services and/or stormwater
services, and applied penalties, recording fees and service
charges may be made a lien upon the property when the
delinquent party is the property owner and may be collected in
accordance with the provisions of Indiana Code 36-9-23-32 and
36-9-23-33.

27
Sec. 51.100. Collection Through Court Actions.

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30
In addition to the foregoing remedies, the City may recover
the amount of the charges for sewerage services, penalties and
reasonable attorney's fees in a civil action, and may
foreclose liens established by this Chapter in accordance with
Indiana Code 36-9-23-34.

31
ADMINISTRATION AND ENFORCEMENT

32
Sec. 51.110. Rules and Regulations-Board of Works Authority.

The Board of Public works of the City shall, in accordance
with the Statutes of the State of Indiana, and subject to the
provisions and requirements of this Chapter, make and enforce

5 appropriate rules and regulations for the safe, economical and
6 efficient management and operation of the City's Sewage Works,
7 for the construction and use of sewers, building sewers,
8 appurtenances and connections to the sewerage system; for the
9 regulation, collection and refunding of rates and charges for
10 sewerage service; and for the implementation and enforcement
11 of the provisions of this Chapter.

12
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14 **Sec. 51.111. Enforcement.**

15 Those provisions of this Chapter not specifically dealt with
16 elsewhere shall be enforced by the Superintendent of the Water
17 Pollution Control Plant and such deputies as he, with the
18 approval of the Board of Public Works, may appoint for such
19 purposes. Whenever said Superintendent or any such deputy
20 shall deem it appropriate to charge any person with a
21 violation(s) of this Chapter, he shall issue to such person a
22 Notice of Violation and/or Summons, which shall be processed
23 according to the provisions of Indiana Code (34-4-32-1) and
24 sewer rules and regulations, or pursuant to an ordinance
25 adopted in accordance with I.C. §36-1-6-9.

26
27
28 **Sec. 51.999. Penalty for Violations.**

29 Any person who violates or fails to comply with any provision
30 of this Chapter or of the Rules and Regulations of the Board
31 of Public Works or Administrative Orders pertaining thereto,
32 shall be deemed to have committed a Class B infraction and
33 upon conviction thereof be subject to a fine of up to
34 \$1,000.00 per infraction as provided by Indiana Code 34-4-32-
35 4. Each day that such violation(s) or noncompliance continues
36 shall constitute a separate offense.

37
38 **Sec. 51.112. Sewerage Works Improvement Fund.**

39 The City Controller shall establish and maintain, for as
40 long as user charges and surcharges are collected under the
41 rate schedule instituted herein, accounts for the Sewerage
42 Works Improvement Fund as required by prior ordinances
43 relating to the issuance of sewerage works revenue bonds now
44 outstanding and further in accordance with the laws of the
45 State of Indiana relative to the deposit and disbursement of
46 public funds.

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51 **SECTION 2. The invalidity of any section, sentence,**
52 **clause, paragraph, part or provision of this Ordinance shall**
53 **not affect the validity of any other section, sentence,**
54 **clause, paragraph, part or provision of this Ordinance which**
55 **can be given meaning without such invalid part or parts.**

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60 All Ordinances or parts of Ordinances and sections
61 of the Municipal Code of the City of Fort Wayne in conflict
62 herewith are hereby repealed.

1 PAGE 30

2 SECTION 3. That this Ordinance shall be in full
3 force and effect from and after its passage, and any and all
4 necessary approval by the Mayor and due legal publication
thereof.

5 Sam Talarico
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY
8

9 J. Timothy McCaulay
10 J. TIMOTHY McCaulay, CITY ATTORNEY

11
12 This Ordinance
13 does not
14 require
15 "Legal Publications"
16 per Linda Powell
17 staff attorney.
18

19 8-24-94.

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Read the first time in full and on motion by J. Alvarado,
seconded by , and duly adopted, read the second time by
title and referred to the Committee on City Utilities (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on , the day
of , 19 , at o'clock M., E.S.T.

DATED: 8-9-94.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by J. Alvarado,
seconded by , and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>1</u>	<u> </u>	<u>2</u>
<u>BRADBURY</u>	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>
<u>EDMONDS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>LONG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>LUNSEY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>RAVINE</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
<u>SCHMIDT</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 8-23-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 8-17-94
on the 23rd day of August, 1994

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

David C. Long
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 24th day of August, 1994,
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of August,
1994, at the hour of 3:30 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

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Sec. 51.096. Delinquent Accounts; Penalties

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shall be due and payable on or before the due date stated on
the bill. Any charge for sewerage and/or stormwater service
not paid by the due date shall be delinquent, and may be
collected, with any applied penalty, recording fees, service
charges, attorney's fees, interest and court costs, if any, in
accordance with this Chapter and with Indiana Code Sections
36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%)
of the amount of the charges for sewerage service and/or
stormwater service shall be attached to the delinquent
charges.

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service to the property. Water service shall not be restored
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deposit and the costs of turning off/turning on the water,
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In addition to all other remedies provided, the Utility may,
after reasonable notice to the person being billed, as
provided by the Rules and Regulations of the Utility adopted
by the Board of Works, terminate sewerage service to the
property. Sewerage service shall not be restored until the
delinquent account, together with the costs of terminating an
reconnecting service, shall have been paid.

21
22
Sec. 51.099. Delinquent Fees and Penalties as Liens:
Duplicates - Collection.

23
24
25
Delinquent charges for sewerage services and applied
penalties, recording fees and service charges, by law,
constitute a lien upon the property under I.C. 36-9-23-32 and
may be collected in accordance with the provisions of that
section of the Indiana Code and 36-9-23-33.

26
27
Sec. 51.100. Collection Through Court Actions.

28
29
30
In addition to the foregoing remedies, the City may recover
the amount of the charges for sewerage services, penalties and
reasonable attorney's fees in a civil action, and may
foreclose liens established by this Chapter in accordance with
Indiana Code 36-9-23-34.

31
32
ADMINISTRATION AND ENFORCEMENT

33
Sec. 51.110. Rules and Regulations-Board of Works Authority.

34
The Board of Public works of the City shall, in accordance
with the Statutes of the State of Indiana, and subject to the
provisions and requirements of this Chapter, make and enforce



The City of Fort Wayne

Paul Helmke, Mayor

MEMORANDUM

LAW DEPARTMENT

TO: MEMBERS OF COMMON COUNCIL

FROM: LINDA PETERSON POWELL, STAFF ATTORNEY

DATE: August 8, 1994

SUBJECT: CHAPTER 51: SEWERS AND SEWERAGE SYSTEM

1-94-08-04.

Changes in the attached Ordinance amending Chapter 51 are primarily the result of an audit conducted by the United States Environmental Protection Agency Region 5 in March of 1993. Most of these changes are necessary to update the City's Sewer Use Ordinance to meet current EPA regulations placed on municipalities which treat industrial waste.

A few of the changes clarify procedures now in effect when sampling and analyzing the waste of industrial and/or commercial users of the City's Sewer Utility.

Finally, Section 51.099 has been reinserted to provide for the general collection of delinquent sewer utility fees through liens and/or foreclosure. This section was amended through action by the Council at the table in September, 1991, to exclude properties where the utility account was in the name of someone other than the owner. However, Indiana Code Section 36-9-23-32 states that delinquent sewer fees are liens upon the property, which attach upon filing of an appropriate notice with the County Record's Office. Protection is provided to the property owner who is not the occupant by a notice requirement. No lien may attach unless the property owner was notified of the delinquency within twenty (20) days after the time the utility bill became sixty (60) days overdue. Such notice must be requested in writing by the owner, along with a proper address to which the notice should be sent.

Since Council requested that no liens be placed upon rental property for delinquent sewage charges, significant revenue has been lost.

Should you have any questions regarding specific changes in this Ordinance, please feel free to call me. If you would like additional information on monies lost through failure to file liens for delinquent sewage charges, please contact Terry Atherton at 427-1381.

LPP:dcb

BILL NO. G-94-08-04

REPORT OF THE COMMITTEE ON
CITY UTILITIES
DAVID C. LONG - SAMUEL J. TALARICO - CO-CHAIR
MARK E. GIAQUINTA
REBECCA J. RAVINE

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) AMENDING CHAPTER 51 OF THE
CITY OF FORT WAYNE CODE OF LAWS (SEWERS AND SEWERAGE)

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

Sam Takao 1

10. *Leucosia* (Leucosia) *leucosia* (Linnaeus, 1758) (Fig. 10)

John Depp

— — — — —

Page 1 of 1

DATED: 8-23-94

Sandra E. Kennedy
City Clerk